

Philip J. Berg, Esquire (PA I.D. 9867)
E-mail: philjberg@gmail.com
LAW OFFICES OF PHILIP J. BERG
555 Andorra Glen Court, Suite 12
Lafayette Hill, PA 19444-2531
Telephone: (610) 825-3134 Fax: (610) 834-7659
Attorney in pro se and for Plaintiffs

**UNITED STATES DISTRICT COURT
FOR THE CENTRAL DISTRICT OF CALIFORNIA,
SOUTHERN DIVISION**

LISA LIBERI, et al,

Plaintiffs,

vs.

ORLY TAITZ, et al,

Defendants.

CIVIL ACTION NUMBER:

8:11-cv-00485-AG (AJW)

**DECLARATION OF PHILIP J.
BERG, ESQUIRE**

Date of Hearing: August 8, 2011

Time of Hearing: 10:00 a.m.

Location: Courtroom 10D

DECLARATION OF PHILIP J. BERG, ESQUIRE

I, Philip J. Berg, Esquire, am over the age of 18 and am a party to the within action. I have personal knowledge of the facts herein, and if called to do, I could and would competently testify. I am making this Declaration under the penalty of perjury of the Laws of the United States pursuant to 28 U.S.C. §1746.

1. I am an Attorney in good standing, licensed to practice law in the Commonwealth of Pennsylvania. I am licensed to practice in the U.S. District Courts, Middle and Eastern District of Pennsylvania; Third

1 Certificate Court of Appeals, the Pennsylvania Supreme Court; and the U.S.
2 Supreme Court.

3
4 2. This Court Denied Defendants Orly Taitz and Defend our Freedoms
5 Foundations, Inc. [hereinafter "Defendants"] Anti-SLAPP Motion and
6 Motion to Dismiss pursuant to *Fed. R. Civ. P.* 12(b)(1) and 12(b)(6) on July
7 14, 2011. At this same time, this Court Granted Plaintiffs Leave to Amend
8 their Complaint, which they did.

9
10 3. Defendants Appealed this Court's ruling, which I believe is a
11 frivolous Appeal. Defendants have now filed a Motion to Stay All
12 Proceedings on behalf of All Defendants pending the outcome of their
13 Appeal.

14
15 4. Defendants Appealed the Eastern District of Pennsylvania's Order
16 transferring this Case to this jurisdiction, knowing the Orders being appealed
17 were non-appealable. The Appeal was ultimately Dismissed, but it delayed
18 the within case for approximately a year. During this time and through July
19 2011, Defendants have continued their publications, newspaper interviews,
20 radio shows, and spreading of false accusations, false rumors, false stories
21 about Plaintiffs and Plaintiffs private data.
22
23
24
25
26
27
28

5. If this Court allows the Stay of Proceedings pending Defendants frivolous Appeal, Defendants will continue their tortious and damaging behaviors and Plaintiffs will **not** have any recourse.

6. For these reasons, I respectfully request this Court to Deny Defendants Motion to Stay All Proceedings.

I declare under the penalty of perjury of the Laws of the United States and California that the foregoing is true and correct.

Executed this 20th day of July, 2011 in the Commonwealth of Pennsylvania,
County of Montgomery.

/s/ Philip J. Berg
Philip J. Berg, Esquire, Declarant